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Defendant(s).

**ORDER**  
(Motion to Dismiss—#11)

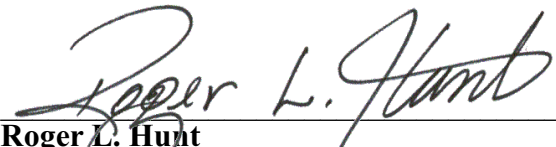
Local Rule 7-2(d) provides that failure to file points and authorities in opposition to a motion constitutes a consent that the motion be granted. *Abbott v. United Venture Capitol, Inc.* 718 F.Supp. 828, 831 (D. Nev. 1989). It has been said these local rules, no less than the federal rules or acts of Congress, have the force of law. *United States v. Hvass*, 355 U.S. 570, 574-575 (1958); *Weil v. Neary*, 278 U.S. 160, 169 (1929); *Marshall v. Gates*, 44 F.3d 722, 723 (9<sup>th</sup> Cir. 1995). The United States Supreme Court itself has upheld the dismissal of a matter for failure to respond under the local court rules. *Black Unity League of Kentucky v. Miller*, 394 U.S. 100, 89 S. Ct. 766 (1969).

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1           Moreover, the Court has reviewed the Motion to Dismiss on its merits and finds that  
2 it should be granted on that basis as well.

3           IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss (#11) is  
4 GRANTED, and the matter is dismissed.

5           Dated: February 3, 2011.

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8 **Roger L. Hunt**  
9 **Chief United States District Judge**  
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